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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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JUN 30 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
Administration of the)
North American Numbering Plan)

CC Docket No. 92-237
Phases One and Two

REPLY COMMENTS OF TELEPORT COMMUNICATIONS GROUP INC.

TELEPORT COMMUNICATIONS GROUP
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June 30, 1994

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REPLY COMMENTS OF TELEPORT COMMUNICATIONS GROUP INC.

I. INTRODUCTION.

Teleport Communications Group Inc. (TCG) respectfully submits these reply comments in the above-captioned proceeding. Coincident with the filing of Comments in the above-captioned docket, Teleport Communications Group Inc. (TCG) announced the submission of NXX code requests to five Regional Bell Operating Companies (RBOCs)¹ in order to test the existing NXX code assignment process. The responses to TCG's NXX code requests clearly demonstrate the failure of the existing process and the need for a new NANP administrator whose responsibilities include NXX code assignments. The responses to TCG's NXX code requests also demonstrate the need to aggressively pursue the rapid implementation of service provider number portability.

The Commission's timely investigation of the administration of the North American Numbering Plan (NANP) is of critical importance to the industry and the public at large. NANP resources are essential elements of telecommunications services. Rapid resolution of the issues raised by the Commission is therefore critical to the continued competitive development of the nation's telecommunications infrastructure.

Finally, TCG supports ATIS' sponsorship of a new NANP administrator and believes that a proper funding mechanism for the new NANP administrator must consider the imbedded base of NANP resources, and not simply the future use of NANP resources.

¹ The RBOCs included Ameritech, NYNEX, Pacific Bell, Southwestern Bell, and US West.

II. NXX CODE ASSIGNMENT FUNCTIONS MUST BE PERFORMED BY THE NEW NANP ADMINISTRATOR AS SOON AS POSSIBLE.

A. The RBOCs' response to TCG's NXX code requests clearly demonstrate the potential for monopoly abuse of the code assignment function.

The RBOC' response to TCG's NXX code requests ran the gamut from a flat denial by Southwestern Bell to an assignment by US West.² Such disparity in responses for identical requests clearly demonstrates the potential for monopoly abuse of this critical public resource.

Southwestern Bell's (SWB) response is particularly disturbing since it indicates that SWB views NXX codes as their strategic advantage in the marketplace: TCG is clearly unable to provide interstate call completion services (i.e., switched access) without NXX codes. SWB denied TCG's request claiming that "applicant does not have appropriate certification or regulatory authority". Obviously, SWB chose to ignore TCG's authorized tariff on file with this Commission for the provision of interstate switched access services. TCG must conclude that SWB is utilizing their control over an essential public resource to frustrate the Commission's efforts to open the interstate telecommunications market to competition.

Code requests filed with Ameritech and Pacific Bell required further clarifications regarding factual information contained in the code requests as well as the availability of specific NXX codes. TCG is providing these carriers with necessary information, but has not yet received confirmation of the NXX code assignments. TCG will file supplemental comments reporting the results of our NXX code requests to these two carriers.

Curiously, NYNEX has yet to respond to TCG's request. This could be in part due to the fact that the code requests were not delivered to the proper code administrator. Again, TCG will file supplemental comments reporting NYNEX' response.

US West is the only RBOC which provided TCG with a direct assignment. However, TCG originally requested that five NXX codes be assigned to TCG and

² Copies of the RBOC's responses to TCG's NXX code requests are attached.

US West only assigned one. This is due to the fact that the NPA in which TCG requested the codes is in jeopardy, i.e., is experiencing a shortage of NANP resources. As will be discussed below, this presents another set of issues which must be addressed by the Commission.

B. Applicants for NXX codes must divulge sensitive competitive information to a strategic competitor.

The process of submitting NXX code requests required TCG to divulge to the RBOCs detailed and sensitive information regarding the deployment of switches, the number of codes requested, the location of the code requests and further technical information detailing TCG's operational capabilities in the retail market. While this information is necessary to properly assign NXX codes, it is also very useful to understanding what a strategic competitor is doing in the marketplace, and thus very valuable to TCG's competitors.

The Comments of Bell Atlantic reveal the extent to which NXX code administrators must involve themselves in the daily operations of strategic competitors.³ Carriers should not be required to divulge such information to strategic competitors in order to obtain essential public resources. TCG has no access to such information regarding the RBOC, and the RBOC should not have this information on TCG. For this reason alone, the LECs should be relieved of their responsibility to assign NXX codes and the responsibility should be included in the duties of a new NANP administrator.

C. The RBOC's responses to TCG's NXX code requests clearly demonstrate the need to rapidly implement service provider number portability.

Several of the RBOCs indicated that TCG had requested NXX codes in jeopardy NPAs and further indicated that the requests would be delayed or denied. TCG's inability to obtain NANP resources directly affects our ability to provide retail services to consumers -- but poses no problem to incumbent

³ "CO Code administrators also must have in-depth knowledge and familiarity with the area covered by an NPA, the layout of networks (including those for all exchange carriers, cellular carriers and competitive access providers), and those carriers authorized by a state to receive CO codes." Comments of Bell Atlantic at 3.

providers who have all the NANP resources they require. Because service provider number portability will promote more efficient use of the existing NANP resources, the Commission must continue its efforts to implement service provider portability in a rapid manner.

While TCG has no interest in exhausting an NPA, TCG must question whether the RBOC has suspended NXX code assignment activity for itself. Clearly the RBOCs face a conflict of interest in determining the priority for assignment of a limited public resource.⁴ Without any way of determining whether the RBOCs are continuing to assign NXX codes to themselves, TCG must insist upon NXX code assignments or risk being permanently disadvantaged in the marketplace. At a minimum, such circumstances infect the NXX code request and assignment process with an atmosphere of distrust.

II. FUNDING OF THE NEW NANP ADMINISTRATOR MUST ACCOUNT FOR THE IMBEDDED BASE OF NANP RESOURCES.

It has been suggested by at least one RBOC⁵ that a funding plan for the new NANP administrator should be "forward looking". This suggestion again demonstrates the RBOC's attitude that NANP resources are "theirs" and not a public resource. Without service provider number portability, the NANP resources assigned to RBOC's will remain with the RBOCs indefinitely. Suggesting that no NANP funding should come from the imbedded base of NANP resources on the one hand, and then dismissing service provider number portability as an unnecessary service on the other, indicates a desire on the part of some RBOCs to provide themselves with a strategic advantage in the marketplace derived solely from their historic monopoly control over essential public resources. Moreover, such a suggestion permanently eliminates the single largest source of funding for future NANP administrative functions.

⁴ One way to appreciate the position the RBOCs are in is to imagine that a television network is in charge of assigning broadcast licenses. To whom would the network assign VHF licenses and to whom would the network assign the less valuable UHF licenses?

⁵ See, Comments of Bell Atlantic at 5.

The Commission should reject Bell Atlantic's suggestion and insist on an impartial funding mechanism for the new NANP administrator which takes into account the imbedded base of NANP resources.

III. ATIS IS THE ONLY APPROPRIATE INDUSTRY ENTITY CAPABLE OF ADMINISTERING NANP RESOURCES IN A FAIR AND IMPARTIAL MANNER.


The Comments of the Alliance for Telecommunications Industry Solutions (ATIS) indicate a willingness on the part of ATIS to sponsor a World Zone 1 numbering committee with responsibilities for the development of numbering policy and administration. TCG supports the selection of ATIS as the only industry entity capable of administering NANP resources in a fair and impartial manner. Importantly, ATIS' organizational structure provides due process protections to participating entities that are lacking in other potential candidates for NANP administration.

IV. CONCLUSION

TCG supports the Commission's efforts in this most critical docket. Because NANP resources are a public resource essential to the delivery of diverse telecommunications services, the Commission must act quickly to identify a new NANP administrator. The new NANP administrator must have responsibility for assigning NXX codes and must be funded in a fair and impartial manner. Funding for the new NANP administrator must also account for the imbedded base of telephone numbers. Finally, the Commission must continue to pursue the implementation of service provider number portability.

Respectfully submitted,

TELEPORT COMMUNICATIONS GROUP INC.


Paul Kouroupas
Director, Regulatory Affairs
One Teleport Drive, Suite 301
Staten Island, New York 10311
(718) 983-2634

June 30, 1994

Central Office Code (NNX/NXX) Assignment Request- Part 3

Administrator's Response/Confirmation

Date of Application: 5-14-94

Date of Receipt: 6-7-94

Date of Response: 6-20-94

Effective Date: 8-18-94

Code Administrator Contact Information:

Juan M Del Signore
Signature of Code Administrator

Phone: 312-727-3435

JUAN M DEL SIGNORE
Name (print)

Fax: 312-845-3525

--- Code Assigned: _____ Date of NXX Code Assignment: _____

Routing and Rating information complete: Yes _____ No _____
Additional RDBS and BRADS information necessary as follows:

To be published in the LERG and TPM by _____ additional RDBS and BRADS
information needs to be received by the code administrator no later than _____.

--- Code Reserved: _____ Date of Reservation: _____

Your code reservation will be honored until _____

--- Form incomplete

Additional information required in the following section(s):

--- Form complete, code request denied.

Explanation: _____

✓ --- Assignment activity suspended by the administrator. (708) 716

Explanation: FURTHER INFORMATION REQUIRED REGARDING SERVICE
ROUTING, TECHNICAL OPERATION, AND EFFICIENT USE OF CODES
WAY TECHNICALITY REQUIRED

Further Action: _____

708 --- NPA in jeopardy: Yes ✓ No _____

If yes, refer to Section 7 of the assignment guidelines.

Remarks:

Ameritech Response

Central Office Code (NNX/NNX) Assignment Request- Part 3 310 SANTA MONICA**Administrator's Response/Confirmation**Date of Application: 6-1-94Date of Receipt: 6-10-94Date of Response: 6-20-94

Effective Date: _____

Code Administrator Contact Information:B. Bennett
Signature of Code AdministratorPhone: 510 823-2880BRUCE R. BENNETTFax: 510 867-1208

Name (print)

--- Code Assigned: _____ Date of NXX Code Assignment: _____

Routing and Rating information complete: Yes _____ No _____

Additional RDBS and BRADS information necessary as follows:

_____To be published in the LERG and TPM by _____ additional RDBS and BRADS
information needs to be received by the code administrator no later than _____.

--- Code Reserved: _____ Date of Reservation: _____

Your code reservation will be honored until _____

✓ Form incomplete

Additional information required in the following section(s): NEED CLARIFICATION:1.2 NO MATCH ON SWITCH IDENTIFICATION, CLLI & RATE CENTER
1.4(b) TYPE OF SERVICE

--- Form complete, code request denied.

Explanation: _____

--- Assignment activity suspended by the administrator.

Explanation: _____

Further Action: _____

✓ NPA in jeopardy: Yes ✓ No _____

If yes, refer to Section 7 of the assignment guidelines.

Remarks:

- ① NON-STANDARD ASSIGNMENT FORMS (MISSING/MODIFIED INFO.)
- ② REQUESTED EFFECTIVE DATE IS LESS THAN GUIDELINE
- ③ 310 NPA IN JEOPARDY INTERVAL

Pacific Bell Response

Revision 1 - 12/1/93

Central Office Code (NNX/NXX) Assignment Request- Part 3

Administrator's Response/Confirmation

Date of Application: 6-1-94

Date of Receipt: 6-13-94

Date of Response: 6-23-94

Effective Date:

Code Administrator Contact Information:

Dianna Esther

Phone: 314-235-1504

Signature of Code Administrator

DIANNA ESTHER

Fax: 314-235-1293

Name (print)

--- Code Assigned: Date of NXX Code Assignment:

Routing and Rating information complete: Yes No

Additional RDBS and BRADS information necessary as follows:

To be published in the LERG and TPM by additional RDBS and BRADS information needs to be received by the code administrator no later than .

--- Code Reserved: Date of Reservation:

Your code reservation will be honored until

--- Form incomplete

Additional information required in the following section(s):

✓
--- Form complete, code request denied.

Explanation: Applicant does not have appropriate certification or regulatory authority.

--- Assignment activity suspended by the administrator.

Explanation:

Further Action:

--- NPA in jeopardy: Yes No

If yes, refer to Section 7 of the assignment guidelines.

Remarks:

214 NPA - Plano

Southwestern Bell Response

Central Office Code (NNX/NXX) Assignment Request - Part 3

Administrator's Response/Confirmation

Date of Application: JUNE 1, 1994 Date of Receipt: JUNE 15, 1994Date of Response: JUNE 28, 1994 Effective Date: SEPT. 15, 1994

Code Administrator Contact Information:


Signature of Code AdministratorPhone: 303-~~896~~-1724(Kelli A. Muecke) JACK OTT
Name (print)Fax: 303-965-1059☒ Code Assigned: 505 Date of NXX Code Assignment: JUNE 27, 1994Routing and Rating information complete: Yes ☒ No ☐
Additional RDBS and BRADS information necessary as follows:To be published in the LERG and TPM by additional RDBS and
BRADS information needs to be received by the code administrator
no later than .☐ Code Reserved: Date of Reservation: Your code reservation will be honored until ☐ Form incomplete.
Additional information required in the following section(s):
 ☐ Form complete, code request denied.
Explanation: ☒ Assignment activity suspended by the administrator.
Explanation: ONE OF FIVE REQUESTED CODES ASSIGNEDFurther Action: PENDING AVAILABILITY OF CODES☒ NPA in jeopardy: Yes ☒ No ☐
If yes, refer to Section 7 of the assignment guidelines.

Remarks:

PLEASE RETURN PART 4 WHEN NXX CODE IS ACTIVATED.U S WEST IS NOT RESPONSIBLE FOR ANY ROUTING OR RATING PROBLEMS WHICH
MAY OCCUR DUE TO THE EXPEDITED INTERVAL REQUESTED.PLEASE RETURN PART 4 TO:NAME: KELLI MUECKE Tele. #: 303-965-8222

Revision 1 - 12/1/93

FAX: 303 965 1059

CERTIFICATE OF SERVICE

I, Jean M. Layton, hereby certify that a copy of the foregoing Reply Comments of Teleport Communications Group Inc., was mailed, postage prepaid this 30th day of June, 1994 to the following:

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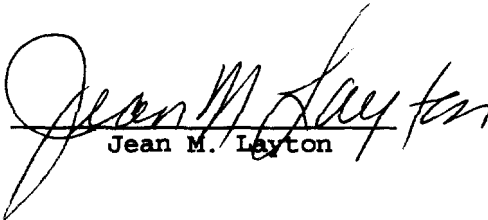
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